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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants: Ajith Kuttannair Kumar, et al)
Examiner: Kim, Chong Hwa)
Serial No.: 10/023,246)
Group Art: 3682)
Filed: 12/17/2001)

Atty. Dkt. 20-LC-5014 (320)

For: WAYSIDE RAIL LUBRICATION APPARATUS AND METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. 1.111

This paper is submitted in response to the Office Communication dated 02/04/2004.

Prior to the preparation of this paper, the undersigned attorney requested and the Examiner granted a telephonic interview. A summary of that interview is included herein.

(Please proceed to the next page.)

TELEPHONIC INTERVIEW SUMMARY

A telephonic interview was conducted between the applicant's undersigned attorney and Examiner Chong H. Kim on April 20, 2004. No exhibit was shown and no demonstration was conducted. All of the rejected claims were discussed with regard to the prior art cited to reject those claims.

With regard to independent claim 1, the term "a distance" was discussed, with the applicant arguing that the prior art does not describe the distance claimed.

With regard to claim 2, the term "predetermined rate" was discussed, with the Examiner noting that a human being could refill the grease hopper of Lounsberry at any predetermined rate.

With regard to claim 7, the term "preventing operation" was discussed with the Examiner noting that to stop an application of lubricant after it had already begun is within his interpretation of the term "preventing operation."

With regard to claim 17, the term "responsive" was discussed with the Examiner noting that the act of applying any amount of lubricant, even if it is the same quantity as a previous application, is being "responsive."

With regard to independent claim 21, the Examiner noted that any computer processor necessarily includes a timing apparatus, and any lubrication apparatus necessarily has some delay before lubricant is applied.

No agreement was reached regarding the allowability of any of the rejected claims.

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being transmitted by facsimile transmission to the US Patent & Trademark Office Technology Center 3600, fax number 703-872-9306 on the date shown below:

Amendment under 37 CFR 1.111 (10 pages)

David G. Maire April 26, 2004

David G. Maire, Reg. No. 34,865

Date

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